IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 7759 of 2005

Between:

T. Ramanujula Reddy, S/o T. Ramachandra Reddy,
R/o 5/92-B, Muddanur Post, Cuddapah District.

..... PETITIONER

AND

1 The Regional Transport Authority, Rep. by its Secretary, Kadapa , Kadapa District.
2 The State Transport Appellate Tribunal, Hyderaad, rep. by its Presiding Officer.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent -1 in not passing any orders on the representation of the Petitioner dt. 15-3-2004 extending the time stipulated in its R.No. 4743/A2/99 dated 20-10-2003 by 4 more months, as illegal, arbitrary and unjust and consequently direct the Respondent-1 herein to extend the time granted to the Petitioner on 20-10-2004 by 4 more months and pass such other order or orders as may deem fit and proper in the interest of justice.

Counsel for the Petitioner: SMT.M.VINOBHA DEVI

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 1st respondent in not passing any orders on the petitioner's representation, dated 15.3.2004, extending the time stipulated in proceedings R.No.4743/A2/99, dated 20.10.2003 by four more months as illegal and arbitrary.

The 2nd respondent-State Transport Appellate Tribunal, in its order, dated 25.7.2003 in A.P.No.87 of 2002 directed the 1st respondent to permit the appellant, who is the writ petitioner on the route in question as applied by him within four months from the date of receipt of the order on production of valid documents as required under the provisions of Motor Vehicles Act, 1988 and A.P. Motor Vehicles Rules, 1989. Thereafter, the petitioner could not be in a position to produce valid records in view of the fact that he could not secure suitable vehicle and filed an application for extension of time, but no orders have been passed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport and perused the material on record.

No rights of the third parties have been intervened. The reason for not producing the valid document within a period of four months from the date of the order of the Tribunal was due to non-securing of suitable vehicle. Therefore, it cannot be said that the petitioner delayed the matter intentionally.

Having due regard to the facts and circumstances of the case, one more opportunity can be given to the petitioner for production of valid documents.

In the result, the writ petition is disposed of directing the petitioner to produce valid records within a period of three months from today failing which the petitioner is not entitled to the route permit by virtue of the orders passed by the State Tribunal Appellate

In A.P.No.87 of 2002, dated 25.7.2003. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

8th April, 2005

bcj

To

1 The Secretary, The Regional Transport Authority, Kadapa , Kadapa District.
2 The Presiding Officer, The State Transport Appellate Tribunal, Hyderabad,

3 Two C.Cs. to the Government Pleader for Transport, High Court Buildings, Hyderabad (OUT)

4 Two C.D. copies.

Note: Furnish copy by Monday

B/o

bcj